

**EXHIBIT 1**

BOROUGH OF NORTH HALEDON

CONFIDENTIAL

RESOLUTION  
November 2, 2000

Whereas disciplinary charges have been preferred against Patrolman Mark Van and a hearing is scheduled on November 2, 2000; and

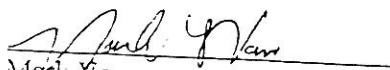
Whereas, Patrolman Mark Van is represented by Joseph Afflito, Esq., and

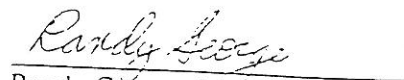
Whereas, the parties have come to a consensual agreement;

Now Therefore Be It Resolved as follows:

- (a) Patrolman does hereby submit his voluntary resignation from the North Haledon Police Department effective November 3, 2000;
- (b) The pending charges by the Acting Chief of Police are hereby withdrawn by the Acting Chief of Police;
- (c) There shall be no compensation for accrued time;
- (d) In the event of any inquiry by a future employer, the Borough response will be "Patrolman Van served as a patrolman from April 28, 1999 to November 3, 2000 where he submitted his voluntary resignation effective November 3, 2000"
- (e) Patrolman Van shall forthwith return to the North Haledon Police Department issued weapons, police paraphernalia and police identification cards.
- (f) There shall be an exchange of releases.

I HEREBY AGREE TO THE TERMS OF THE RESOLUTION.

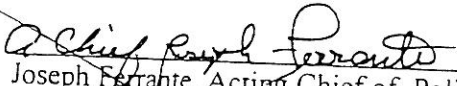
  
Mark Van

  
Randy George, Mayor

**CONFIDENTIAL**

November 2, 2000

I HEREBY WITHDRAW THE CHARGES PENDING AGAINST PATROLMAN  
MARK VAN.

  
Joseph Ferrante, Acting Chief of Police

DEFENDANTS 072

**CONFIDENTIAL**

November 2, 2000

I, Patrolman Mark Van do hereby resign as a member of the North Haledon Police Department effective November 3, 2000.

  
Mark Van

DEFENDANTS 073

**EXHIBIT 2**

Page 14

A No, there was not.

Q Because of this incident with Mr. Vinca or what was alleged when Mr. Van confronted you, did you have any feelings of dislike or bad feelings of Mark Van as a result of that?

A It was more the fact that I didn't appreciate him going to the chief and saying something to the chief that I did not say.

And I asked him if that if he ever had a problem with me, he didn't confront with me, he went to the chief -- I said if you have a problem with me, somebody said I said something, please come to me and talk to me.

I'll give you an honest answer if I said it. I will tell you I said it. It was more putting things on the table, to be honest with each other. And it was left there.

Q After you had that discussion with Mark Van, you didn't really have any problems with him from that point to the time he left the department?

A No, I did not.

Q You generally know under what circumstances he left the department. Am I

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correct?

A Generally, yes. Correct.

Q But the circumstances that led up to him resigning from the department, you weren't involved in those circumstances personally, were you?

A Not at all.

Q For example, do you understand that had something to do with a chase of a suspect in Hawthorne, some issues related to police reports, were you aware of that?

A That I was aware of.

Q You weren't involved in that incident at all as an officer, were you?

A Not at all.

Q So now, after Mark Van leaves, resigns from the Borough of North Haledon Police Department, when is the next time you have any contact at all with Mark Van?

A I don't recall.

Q You issued him some traffic summons at some point in time. Am I correct?

A Yes, I did.

Q Do you recall approximately how long after he resigned you issued the traffic

Page 16

1 summons?

2 A Approximately two years maybe.

3 Q By the way, after Mark Van had  
4 left the department, were you aware in any  
5 fashion where Mark Van lived after he left the  
6 department?

7 A No, I was not.

8 Q Let me show you what's previously  
9 marked as Van-10 for identification.

10 MR. FAUGNO: Thank you,  
11 Anthony.

12 Q Do you recognize that document?

13 A Yes, I do.

14 Q That traffic summons, that was  
15 issued to Mark Van?

16 A Yes.

17 Q Can you first do me a favor,  
18 because on the second page of that there is a  
19 bunch of handwritten notations. I assume that's  
20 your handwriting?

21 A Yes, it is.

22 Q Can you please read that to me?

23 Only because I had trouble with it.

24 A So do I, due to the photocopy.

25 The first line is the number one with an MD, that

Page 17

1 signifies one male driver. I believe it was an  
2 '85, the other is MB or '85 MB, which is the  
3 year that I put, the model, which is Mercedes  
4 Benz.

5 And I believe it's, I don't know  
6 what the scribble is before, it could possibly be  
7 black or blue. A lot of times when I do a slash  
8 it means I didn't know the color exactly.

9 And then the next line, or to the  
10 right of that would be the location, where the  
11 vehicle was stopped, which is Company Number 2  
12 parking lot.

13 While checking school post unit  
14 165 traffic, I was on Squawbrook Road observing  
15 the vehicle traveling west at Squawbrook Road, at  
16 a high rate of speed, radar unit 1292 in moving  
17 mode read 58 miles per hour, directly through the  
18 school post on Squawbrook Memorial School.

19 I immediately activated overhead  
20 lights and siren. Vehicle did not complete a  
21 stop, and according to a crossing guard, forced  
22 north and south traveling vehicles to stop  
23 abruptly. I believe it's once, once I got on  
24 High Mountain Road I no longer saw the car.

25 Some word I can't read, asked

5 (Pages 14 to 17)

**EXHIBIT 3**



DISPOSITION OF CASE

1606 - 26804

MUNICIPAL COURT  
North Haledon  
Passaic County, New Jersey

OFFICER COPY

DRIVER'S LICENSE NUMBER V03785217367671

EXP. DATE 07/04 STATE NJ ☐ Commercial License

Name Mark R VAN (Please Print)

Address 259 Glenwood Drive

City North Haledon State NJ Zip Code 07368 Telephone

Birth Date 07/05/67 Eyes B Sex M Weight 150 Height 5-08 Restrictions

Make of Vehicle MB Year 85 Body Type 2DR Color BL ☐ Commercial Vehicle

LIC. PLATE NO. MWE58P State NJ Exp. Date 07/03 ☐ Hazardous Material

Month 09 Day 18 Year 02 Time 2:54 AM/PM

LOCATION OF OFFENSE North Haledon Describe Location Squawbrook Road

Municipality North Haledon County Passaic Mun. Code (Offense) 1606

TRAFFIC OFFENSES - (check one) - TITLE 39:

☒ 3-4 Unregistered Vehicle ☒ 4-85 Improper Passing

☒ 3-29 Failure to exhibit documents ☒ 4-97 Careless driving

☐ D.L. or ☐ REG or ☐ INS ☒ 4-124 Failure to turn

☒ 3-33 Unclear plates ☒ 4-144 Failure to stop or yield

☒ 3-66 Maintenance of lamps ☒ 8-1 Failure to inspect

☒ 3-76.21 Failure to wear seatbelt ☒ 8-4 Failure to make repairs

☒ 4-81 Failure to observe signal ☒ 4-98 Speeding        MPH in a        MPH Zone

IN EXCESS OF SPEED LIMIT BY:

☐ 1-9 MPH ☐ 10-14 MPH ☐ 15-19 MPH ☐ 20-24 MPH ☐ 25-29 MPH ☐ 30-34 MPH

☐ 65 MPH ZONE ☐ CONSTRUCTION ZONE

PENALTY SCHEDULE ON REVERSE

PARKING OFFENSE

☐ Overtime Meter No. ☐ Prohibited Area ☐ Double

OTHER TRAFFIC/PARKING OFFENSE (Describe)

School Zone

Statute No. 39:4-97 Ordinance/Code No.

Signature of Arresting Officer [Signature] Officer's ID. No. 563

Signature of Arresting Witness [Signature]

COURT APPEARANCE REQUIRED ☐ Month 10 Day 07 Year 02 Time 4:30 AM/PM

☐ Truck ☐ Accident ☐ Personal Injury ☐ Property Damage

CONDITIONS

AREA ☐ Business ☒ School ☐ Residential ☐ Rural

ROAD ☐ Dry ☐ Wet ☐ Snow ☐ Ice

TRAFFIC ☒ Light ☐ Medium ☐ Heavy

VISIBILITY ☒ Clear ☐ Rain ☐ Snow ☐ Fog

Equipment ☐ Helicopter ☐ Pace ☐ VASCAR ☐ Radar ☐ Breathalyzer

Equipment Operator's Name [Signature] Operator ID No.        Unit Code       

OFFICER COPY

UTPE-1 (12/01)



1606 26008  
 MUNICIPAL COURT  
 Passaic County, New Jersey  
 OFFICER COPY  
 DRIVER LICENSE NUMBER  
 12345678901234567890  
 EXPIRATION DATE  
 12/31/2008  
 DATE  
 12/31/2008

DATE OF ADJOURNMENT:

FROM: / / TO: / /

REASON:

FROM: / / TO: / /

REASON:

DISPOSITION DATE:

BY: ☐ COURT ☐ VIOLATIONS BUREAU

PLEA:

BAK AMOUNT \$ ☐ CASH ☐ BOND

POSTED WITH:

(NAME & TITLE)

☐ BAIL AMOUNT \$ DATE / /

FINES \$ JAIL DAYS:

COSTS \$ DR. LG. REVOKED: DAYS

REVOCATION DATE: / /

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**EXHIBIT 4**

Rowe - Direct

Page 15

1 correct?

2 A Generally, yes. Correct.

3 Q But the circumstances that led up  
4 to him resigning from the department, you weren't  
5 involved in those circumstances personally, were  
6 you?

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9 that had something to do with a chase of a  
10 suspect in Hawthorne, some issues related to  
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Rowe - Direct

Page 16

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Rowe - Direct

Page 17

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22 north and south traveling vehicles to stop  
23 abruptly. I believe it's once, once I got on  
24 High Mountain Road I no longer saw the car.

25 Some word I can't read, asked



Rowe - Direct

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1 Blau if a blue Mercedes Benz convertible came  
2 by. Due to the photocopy I can't read this line,  
3 I had tracked and found the car in Company Number  
4 2 parking lot.

5 Driver speeding to catch the fire  
6 truck for mutual aid for a fire in Haledon.  
7 Mercedes Benz had no emergency lights or  
8 markings. Bottom line is, failure to come to  
9 complete stop on High Mountain Road. Speeding,  
10 no emergency lights.

11 Q Now, having read that has given  
12 me the benefit of having heard that, because I  
13 couldn't read it for the first time. Thank you.

14 A You're welcome.

15 Q When you first saw this vehicle,  
16 if you recall, did you know who the vehicle  
17 belonged to?

18 A No, I did not.

19 Q Ultimately you find the vehicle,  
20 and I think you referred to a company lot.  
21 Correct?

22 A Correct.

23 Q That's the fire department?

24 A Correct.

25 Q When you saw the car there did



Rowe - Direct

Page 19

1 you then ascertain whose car it was?

2 A Yes.

3 Q How did you go about ascertaining  
4 whose car it was?

5 A I saw the driver once the driver  
6 passed me, so I knew who was driving the vehicle.

7 Q Let me understand this. When  
8 you first saw the vehicle speeding, you didn't  
9 know who was driving the vehicle, did you?

10 A No, I did not.

11 Q When is the first time you  
12 ascertained who was driving the vehicle?

13 A As the vehicle passed you.

14 Q Passed you?

15 A Yes, on Squawbrook Road.

16 Q So you knew who it was at that  
17 time when it passed you on Squawbrook Road?

18 A I observed Mark Van driving.

19 Q At that time did you know that  
20 Mark Van was a member of the volunteer fire  
21 department?

22 A Yes, I did.

23 Q How do you know he was a member  
24 of the volunteer fire department?

25 A Probably from being on patrol and

Rowe - Direct

Page 20

1 seeing, you know, the officers have a meeting  
2 every Monday night, and all the volunteers go and  
3 attend.

4 Q When he passed you on Squawbrook  
5 Road, did you then lose sight of him after that  
6 at some point?

7 A Yes, I did.

8 Q But then you regained sight of  
9 him, am I correct, or the car, the vehicle?

10 A Yes.

11 Q When you regained sight of the  
12 vehicle was anyone in it?

13 A Yes.

14 Q Did you go into the fire  
15 department?

16 A No.

17 Q What did you do at that point?

18 A I called dispatch, ran the plate,  
19 asked them to get the DL of Mark Van, look up the  
20 DL by name, which they did. They gave me his  
21 information. I issued one summons and left it on  
22 the vehicle.

23 Q How did you know -- I believe in  
24 the back of this, if I'm remembering correctly,  
25 you said -- did you come to understand that he

Rowe - Direct

Page 21

1 was going to a fire?

2 A Yes.

3 Q How did you come to the knowledge  
4 that he was going to a fire?

5 A The fire trucks were leaving as I  
6 was pulling up to the parking lot.

7 Q So as soon as you pulled up to  
8 the fire department, you saw the fire trucks  
9 start pulling out?

10 A Correct.

11 Q And you believe that Mark Van was  
12 on one of those fire trucks?

13 A I was led to believe that, yes.

14 Q Did you then conclude that he was  
15 speeding because he had to get to that fire  
16 department?

17 A Yes, I did.

18 Q So why did you give him a ticket?

19 A Because he was doing 58 miles per  
20 hour through a school zone with children on both  
21 sides of the roadway.

22 Q Don't the officers, the volunteer  
23 firemen -- I don't know, because I really don't  
24 know the laws in regard, but I'm just asking you  
25 -- don't they typically go fast when they get a

Rowe - Direct

Page 22

1 call that there's a fire, don't they have to get  
2 to the department as quickly as possible?

3 A Volunteer firemen have to abide  
4 by Title 39 laws, regardless if they had a blue  
5 light, which his vehicle did not.

6 But regardless, they have to  
7 abide by all laws. We often give courtesies for  
8 a certain percentage over -- if it was ten,  
9 maybe.

10 The fact that it was a school  
11 zone and children from Kindergarten through  
12 fourth grade are standing on the side of road, it  
13 was absolutely no way.

14 But if you take notice, I did  
15 issue one summons for careless driving, which was  
16 a two-point, I thought it was a courtesy I gave  
17 him, as opposed to 58 in a 25, which is double,  
18 more than double two speed limits, which is  
19 probably close to a five-point ticket. I don't  
20 know the points system that well.

21 I don't see that failure to stop,  
22 which would have been two points. I believe  
23 there's another statute for responding to an  
24 emergency call without an emergency light.

25 So in my eyes that was giving him

Rowe - Direct

Page 23

1 a courtesy. It was a two-point violation and  
2 that was the courtesy.

3 Q Have you ever given tickets to  
4 volunteer firemen before in your career that were  
5 going to a fire?

6 A I don't believe before.

7 Q How about after?

8 A Not responding to a fire.

9 Q When I say responding to a fire,  
10 I mean they're going to the fire department?

11 A No, I have not.

12 Q Have you ever observed volunteer  
13 firemen driving their own personal vehicle,  
14 driving in excess of the speed limit when they're  
15 responding to get to the fire department?

16 A As I said, within ten miles an  
17 hour, yes.

18 Q And you've given them a courtesy?

19 A Correct. The courtesies were not  
20 in a school zone at the time of the fire.

21 Q Did you ever go and talk to Mark  
22 Van that day and try to talk to him to see why he  
23 was doing what he was doing?

24 A No, I did not.

25 Q Just so I'm clear, when you put